

REMARKS

Applicant respectfully requests reconsideration of this application as amended. No claims have been amended, cancelled, or added. Therefore, claims 1-25 are now are presented for examination.

35 U.S.C. § 102 Rejection

Claims 1-16, 29-25 stand rejected under 35 U.S.C. §102(e), as being anticipated by Gao, U.S. Patent No. 6,581,094 (“Gao”).

As an initial matter, the Office Action states “Gao teaches *substantial features of the invention*” (Office Action, mailed January 7, 2005, page 8; emphasis provided) which does not satisfy the requirement that to anticipate a claim, the reference must teach every element of the claim. (MPEP § 2131, see *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987), *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Thus, claims 1-16 and 19-25 are not anticipated by Gao.

Claim 1 recites

1. A method comprising:
receiving a discovery information query;
retrieving one or more XML files stored on one or more network devices,
each XML file containing discovery information of the network
device on which the file is stored; and
searching the discovery information in the XML files based on the
received query. (emphasis provided)

Gao discloses executing “[a] method executed by *one or more digital devices operating in a networked environment includes . . . storing a network address for each digital device in a set of digital devices within a networked environment*. (Abstract).

Gao further discloses “[a] Uniform Device Descriptor file is associated with each digital

device of the set of digital devices.” (Abstract). Gao does not disclose or reasonably suggest retrieving one or more XML files stored on one or more network devices, each XML file containing discovery information of the network device on which the file is stored, and searching the discovery information in the XML files based on the received discovery information query, as recited by claim 1. Accordingly, for at least the reasons set forth above, Applicant respectfully requests the rejection of claim 1 and its dependent claims.

Claims 5, 10 and 15 contain limitations similar to those of claim 1. Accordingly, Applicant respectfully requests the rejection of claims 5, 10 and 15 and their dependent claims be withdrawn.

35 U.S.C. § 103 Rejection

Claims 17-18 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Gao, in view of Vaishnavi, et al. U.S. Patent No. 5,734,642 (“Vaishnavi”).

Claims 17 and 18 depend from independent claim 15 and thus include all the limitations of claim 15. Accordingly, Applicant respectfully request the rejection of claims 17 and 18 be withdrawn.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

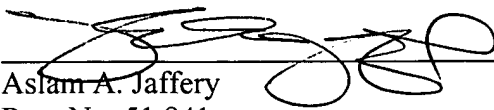
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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